

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELSEVIER, INC.,

Plaintiff,

v.

DOES 1-10,

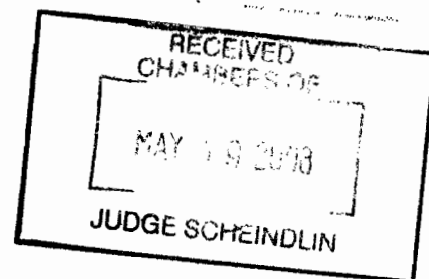
Defendants.
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Index No.

08 CV 4549

ORDER

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The Court, having considered Plaintiff Elsevier, Inc.'s ("Elsevier") Application for Leave to Take Expedited Discovery, together with all the papers submitted in connection therewith, hereby ORDERS as follows:

1. Elsevier may serve discovery on Google, Inc., ("Google") in order to obtain information related to the identity and activities of the persons responsible for the alleged copyright infringement of Elsevier's journals.

2. Google shall preserve for at least one hundred twenty (120) days any and all information responsive to the requests, including but not limited to, customer and subscriber account information and user connection logs, server logs, authentication sessions, contact information, account histories, and/or billing information, *unless Google should demonstrate that such preservation would be unduly onerous.*

3. Google shall not disclose the existence of this ORDER or any resulting subpoena to the subscriber(s) named in the complaint as John Doe(s) *for at least sixty (60) days from the date it is served with this ORDER. produced the requested information, until such time as Google has*

4. Elsevier may serve discovery on Our Internet, Inc., ("Our Internet") in order to obtain information related to the identity and activities of the persons responsible for the alleged copyright infringement of Elsevier's journals.


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5. Our Internet shall preserve for at least one hundred twenty (120) days any and all information responsive to the requests, including but not limited to, customer and subscriber account information and user connection logs, server logs, authentication sessions, contact information, account histories, and/or billing information, *unless Our Internet should demonstrate that such preservation would be unduly burdensome.*

6. Our Internet shall not disclose the existence of this ORDER or any resulting subpoena to the subscriber(s) named in the complaint as John Doe(s) ~~for at least sixty (60) days from the date it is served with this ORDER.~~ *until such time as Our Internet has produced the requested information.*

Dated: May 19, 2008


United States District Judge

